

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-3, 5-13, 15-28, and 31-44 are pending in this application. Claims 1, 11, 21-24, and 40 are independent. Claims 1, 5-7, 11, 15-17, 21-24, and 26 are hereby amended. Claims 4 and 14 are hereby canceled without prejudice or disclaimer of subject matter. Claims 29 and 30 have been previously canceled. Claims 40-44 are hereby added. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the Specification, specifically on page 12, line 21 - page 17, line 11. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. §102(e)

Claims 1, 11, 12, 13, 27, and 28 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,310,962 to Chung, et al.

III. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 2 and 3 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,310,962 to Chung, et al. in view of European Patent Application No. EP 0859503 A2 to Hirotaka.

Claims 4-10, 14-26, and 31-39 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,310,962 to Chung, et al. in view of U.S. Patent No. 6,314,518 to Linnartz.

IV. RESPONSE TO REJECTIONS

Claim 1, as amended, recites, *inter alia*:

“...A material processing system for processing material including a watermark, the material having been watermarked by embedding a watermark code word into the material by combining the watermark code word with predetermined components of the material, the system comprising...

a database processor linked to the remover, the database processor being operable to provide the remover with data enabling the removal of the watermark from the material to be processed, the enabling data indicating the predetermined components of the material with which the watermark code word has been combined.”

(Emphasis Added)

Applicant notes that amended independent claim 1 recites the limitations of previous claim 4 and the further limitations described above.

Applicant submits that in section 12 of the pending Office Action, claim 4 was rejected on the ground of obviousness with respect to a combination of U.S. Patent No. 6,310,962 to Chung, et al. (hereinafter, merely “Chung”) and U.S. Patent No. 6,314,518 to

Linnartz (hereinafter, merely “Linnartz”). The Office Action asserts that Chung discloses an arrangement for removing data embedded in material, a processor for processing the material, and an inserter for inserting the watermark into the processed material.

The Office Action concedes that Chung does not disclose a system according to claim 1, which further includes a database processor, a link to the remover, the database processor containing data enabling the removal of the watermark from the material. However, the Office Action states that Linnartz discloses a detector for detecting watermark information that is sent back to a controller in encrypted form, decrypted and used to disable reproduction and/or inhibit copying of the material. However, there is no disclosure in Linnartz of the database processor being operable to provide the remover with data enabling the removal of the watermark from the material to be processed.

Thus, in Fig. 6 of Linnartz, with reference to column 8, the decrypt unit 66 is merely arranged to decrypt the entire watermarked MPEG bitstream which is then subsequently removed by the watermark detector 69 after being decoded by the MPEG decoder 68. Even if Linnartz could be interpreted such that the decryption key provided to the MPEG decoder 57 provides data enabling the removal of the watermark from the material to be processed, there is no disclosure of the enabling data indicating the predetermined components of the material with which the watermark code has been combined.

Thus, Applicant submits that there is no disclosure in Fig. 6 of Linnartz of an arrangement in which the watermark detector is provided with an indication of the predetermined components for the material with which the watermark code word has been combined. Accordingly, Applicant submits that claim 1 is patentable over the combination of Chung and Linnartz.

Claim 11, as amended, recites, *inter alia*:

“...retrieving from a database, data enabling the removal of the watermark included in the material to be processed, the enabling data providing the predetermined components of the material with which the watermark code word has been combined...” (Emphasis Added)

As discussed above, Applicant submits that there is nothing in either Chung or Linnartz, taken alone or in combination, that would teach or suggest the above-identified features of claim 11. Therefore, amended independent claim 11 is believed to be patentable.

Claim 21, as amended, recites, *inter alia*:

“...receiving material in which data is embedded, the data having been embedded in the material by combining the data with predetermined components of the material... removing the said data using the enabling data accessed from the store, wherein the enabling data indicates the predetermined components of the material with which the data has been combined.” (Emphasis Added)

Independent claim 23 is a corresponding apparatus claim.

As discussed above, Applicant submits that there is nothing in either Chung or Linnartz, taken alone or in combination, that would teach or suggest the above-identified features of claim 21. Therefore, amended independent claims 21 and 23 are believed to be patentable.

Claim 22, as amended, recites, *inter alia*:

“...embedding data in material, the data being embedded in the material by combining the data with predetermined components of the material; and storing, in an information store, information for enabling the data to be removed from the material, the information for enabling the data to be removed including an indication of the predetermined components of the material with

which the data has been combined.” (Emphasis Added)

Independent claim 24 is a corresponding apparatus claim.

As discussed above, Applicant submits that there is nothing in either Chung or Linnartz, taken alone or in combination, that would teach or suggest the above-identified features of claim 22. Therefore, amended independent claims 22 and 24 are believed to be patentable.

Claim 40, recites, *inter alia*:

“...retrieving, from a database, data enabling the removal of the watermark included in the material to be processed, **the enabling data providing the predetermined components of the material with which the watermark code word has been combined...**” (Emphasis Added)

As discussed above, Applicant submits that there is nothing in either Chung or Linnartz, taken alone or in combination, that would teach or suggest the above-identified features of claim 40. Therefore, new independent claim 40 is believed to be patentable.

V. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,
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